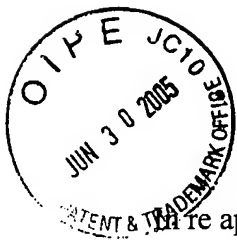


07-05-05

15w 1722



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Douglas S. NORDGREN et al.

Confirmation No.: 2558

Application No.: 10/001,532

Group Art Unit: 1722

Filing Date: October 25, 2001

Examiner: Del Sole, Joseph S.

For: EXTRUSION DIE WITH HORIZONTAL AND
VERTICAL EXTRUDATE OPENING ADJUSTMENT

Attorney Docket No.:
86056-5200-USPT

**REQUEST FOR ACTION ON PETITION TO EXPUNGE INFORMATION PURSUANT
TO 37 C.F.R. § 1.59(b) AND M.P.E.P. § 1002.02(c)**

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.59(b) and M.P.E.P. § 1002.02(c), Petitioner respectfully requests that a decision be made on Petitioner's outstanding petition to expunge information from the above-referenced patent application. The information to be expunged is a drawing entitled "AMOFOAM® Die Lip Assembly" by D. Nordgren dated December 22, 1998.

The drawing to be expunged was originally submitted to the Patent Office on February 11, 2002 for consideration by the Examiner. A copy of Petitioner's earlier petition filed on February 11, 2002 is annexed hereto as Exhibit A.

In a communication filed August 19, 2002, the Patent Office indicated that the decision on Petitioner's petition would be held in abeyance until prosecution on the merits was closed, at which time the petition would be decided. A copy of this communication is annexed hereto as Exhibit B.

Prosecution on the merits was closed on December 19, 2004, when the application was abandoned for failure to respond to a final office action. A copy of the notice of abandonment is annexed hereto as Exhibit C.

Counsel of record has contacted the Patent Office by telephone on several occasions to determine the status of Petitioner's petition. However, no action has been taken to date on Petitioner's petition. Petitioner thus respectfully requests that the outstanding petition to expunge in the above identified application be decided.

No fee or extension of time is believed to be due for this submission. If such a fee or extension is required, please charge any required fees relating to the filing of this paper to Winston & Strawn LLP deposit account no. 50-1814, Ref. No. 86056-05200-USPT.

Respectfully submitted,

Date 6/30/05

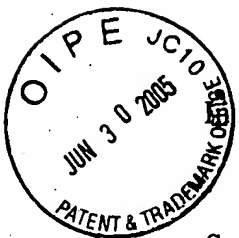


Daniel J. Hulseberg
(By Brian R. Pollack

(Reg. No. 36,554)
Reg. No. 47,001)

WINSTON & STRAWN
CUSTOMER NO. 28763
(212) 294-3310

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re Application of:

Douglas S. Nordgren *et al.*

Attorney Docket No. 47099-00110

Serial No.: 10/001,532

Group Art: 1722

Filed: October 25, 2001

Examiner: unknown

Title: EXTRUSION DIE WITH
HORIZONTAL AND VERTICAL
EXTRUDATE OPENING
ADJUSTMENT

PETITION TO EXPUNGE UNDER 37 C.F.R. § 1.59 AND MPEP § 1002.02(c)(17)

*Via Hand Delivery to
Director of Patent Technology Center Art Unit 1720*

Commissioner for Patents
Washington, D.C. 20231

Dear Commissioner:

In accordance with 37 C.F.R. § 1.59 and MPEP § 1002.02(c), Applicants hereby petition the Commissioner to expunge the proprietary information contained in the accompanying envelope from the PTO record. The information to be expunged is a drawing entitled "AMOFOAM® Die Lip Assembly" by D. Nordgren that is dated December 22, 1998. Such information is proprietary and has otherwise not been made public. Applicants are committed to retaining the information for the period of any patent that issues from the above-captioned patent application. This petition to expunge is being submitted on behalf of the party in interest who originally submitted the patent application.

Applicants request that the Examiner peruse the information to be expunged and return the information Applicants after determining that the information is immaterial.

If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact Applicants' undersigned attorney at the number indicated.

Enclosed is a check in the amount of \$130.00, pursuant to 37 C.F.R. § 1.17(i), to cover the fees associated with the filing of this Petition To Expunge. However, should any fees be deemed necessary (except payment of the issue fee), the Commissioner is authorized to charge any deficiency or to credit any over payment to JENKENS & GILCHRIST, P.C. Account No. 10-0447(Order No. 47099-00110).

Respectfully submitted,

Date: February 11, 2002



Timothy M. Kowalski
Reg. No. 44,192
JENKENS & GILCHRIST, P.C.
1445 Ross Avenue, Suite 3200
Dallas, TX 75202-2799
312-425-8518 (Telephone)
214-855-4300 (Facsimile)
Attorneys for Applicant



UNITED STATES PATENT and TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

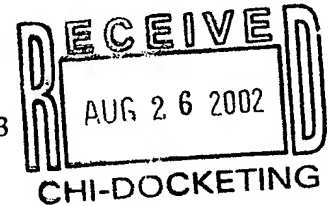


AUG 19 2002

Mailed:

In re application of
Douglas S. Nordgren et al.
Serial No. 10/001,532
Filed: October 25, 2001

Paper No: 3



DECISION ON
PETITION

For: EXTRUSION DIE WITH HORIZONTAL AND
VERTICAL EXTRUDATE OPENING
ADJUSTMENT

This is a decision on the PETITION TO EXPUNGE UNDER MPEP 724.05 AND RULE 59(b): PETITION TO EXPUNGE MATERIALS SUBMITTED UNDER MPEP 724, 724.02, AND 724.05, filed on February 12, 2002 which has been accepted as a timely petition, and is before the Group Director of Technology Center 1700 for consideration.

DECISION

The decision on the petition will be held in abeyance until prosecution on the merits is closed, at which time the petition will be decided, pursuant to MPEP 724.06 (August 2001)

Petitioner requests that a document entitled CONFIDENTIAL .., filed February 25, 2000 be expunged from the record. Petition states either: (A) that the information contains trade secret material, proprietary material and/or material which is subject to a protective order which has not been public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 C.F.R. 1.17(I) has been paid.

The decision on the petition is held in abeyance because prosecution on the merits is not closed. Accordingly, it is not appropriate to make a final determination of whether or not the material requested to be expunged is "material," with materiality being defined as any information which the examiner considers as being important to a determination of patentability of the claims. Thus, the decision on the petition to expunge must be held in abeyance at this time.

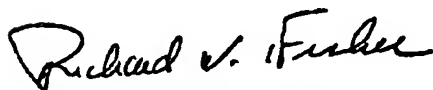
DOCKETED

INIT. *J* DATE: *8-26-02*

ACTION: *Decision on* DATE: *8-19-02*

During prosecution on the merits, the examiner will determine whether or not the identified document is considered to be "material". As soon as the applicant is advised by the examiner that the material submitted is not relevant to the patentability determination, the petition will be reconsidered.

The petition is **DISMISSED**.

A handwritten signature in cursive script, reading "Richard V. Fisher". The signature is written in dark ink and is positioned above a horizontal line.

Richard V. Fisher, Director
Technology Center 1700
Chemical and Materials Engineering

JENKENS & GILCHRIST, P.C.
225 West Washington, Suite 2600
Chicago, IL 60606



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,532	10/25/2001	Douglas S. Nordgren	47097-01005 86056-5200-USPT	2558
EXAMINER				
DEL SOLE, JOSEPH S				
ART UNIT		PAPER NUMBER		
1722				

DATE MAILED: 01/03/2005

ABANDONED
per PLR

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

JAN 05 2005

WINSTON & STRAWN
DOCKETING DEPT. (D.C.)

#394486

**Notice of Abandonment**

Application No.

10/001,532

Examiner

Joseph S. Del Sole

Applicant(s)

NORDGREN ET AL.

Art Unit

1722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 18 June 2004.

(a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.

(b) ☒ A proposed reply was received on 01 October 2004, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).

(c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).

(d) ☐ No reply has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).

(a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).

(b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.

The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.

(c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).

(a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.

(b) ☐ No corrected drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☐ The reason(s) below:

RECEIVED

JAN 05 2005

**WINSTON & STRAWN
DOCKETING DEPT. (D.C.)**

Joseph S. Del Sole
12/30/04
Joseph S. Del Sole

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.